## REMARKS

This is in response to the Office Action mailed on July 21, 2004, and the references cited

therewith.

Claim 1 was amended. Claim 37 was added. As a result, claims 1-37 are now pending in

this application.

### §101 Rejection of the Claims

Claims 1-18 were rejected under 35 USC § 101 because the claimed invention is directed

to non-statutory subject matter. Claim 1 has been amended to indicate that the method is

computer implemented. The elements of the claims are performed by the computer, and and

answers are obtained, and automatically communicated. This is a useful, concrete and tangible

result, and is believed statutory.

### §103 Rejection of the Claims

Claims 1-36 were rejected under 35 USC § 103(a) as being unpatentable over Rhodes et

al. (U.S. Patent No. 6,236,768) and further in view of Shah et al. (U.S. Patent No. 4,862,402).

This rejection is respectfully traversed, as neither reference, nor a combination of the references

teach or suggest each of the elements of the claims.

Rhodes et al., keeps track of user documents in a vector format to try and determine what

other documents a user might be interested in. The vector has entries corresponding to words

occurring in the documents with word counts – Col. 2, lines 15-24. Rhodes et al. improves on

this "RA" concept by including the context of the user, such as their GPS location, time of day,

etc. The presently claimed invention describes receiving one or more queries regarding a

product from a customer, extracting query key words and transforming them into unique

numerical representations to avoid ambiguous prediction of meaning. Such transformed key-

words are then compared to obtain answers to queries. Rhodes et al. does not describe the use of

direct customer queries, as indicated in the Office Action, but rather considers the context of the

user in supplying what might be useful. There is no concept of a customer or user generating a

query. Thus, at least one element is lacking, and a prima facie case of obviousness has not been

established.

**AMENDMENT AND RESPONSE UNDER 37 CFR § 1.111**
Serial Number: 09/852,881
Filing Date: May 10, 2001
Title: AN AUTOMATED CUSTOMER SUPPORT SYSTEM

**Page 10**
Dkt: 256.095US1

With respect to claim 1, Rhodes et al. does not receive a query from a customer. In fact, Rhodes et al. has nothing to do with customer support, but instead looks at what document a user is drafting and suggests other useful information. The user is clearly not asking a question or query, and the equation of the user context to a user generated query in the Office Action is respectfully traversed.

The Office Action cites Shah et al. as showing the use of a convolution algorithm. This is respectfully traversed, as a Shah et al. is non-analogous art. Shah et al. describes a digital filter and is classified in 364/724.12. Rhodes et al. is related to retrieval of information, and is classified in 382.306. These are very different art classes. Shah et al. is related to hardware digital filters, and reducing the circuitry required. Rhodes et al. takes advantage of extra machine capacity available between keystrokes. Col. 1, lines 45-55. Since Rhodes et al. does not appear to be concerned with increasing speed, but rather taking advantage of excess capacity, there is no reason to resort to the convolution circuit described in Shah et al. Thus, the stated reason to combine Shah et al. with Rhodes et al. is incorrect, and a prima facie case of obviousness has not been established.

The reason recited in the Office Action of: "because the convolution algorithm speed up the calculation with substantially less hardware..." is not a concern of Rhodes et al. Thus, there is no proper suggestion to combine the references. Further, Shah et al. appears to deal with video compression and decompression, not queries, and comparing vectors of literary words. This further points to the fact that Shah et al. is non-analogous art. Because of this, it is not properly combinable with Rhodes et al.

Regarding claims 3, 4 and 5, the Office Action appears to be taking official notice of including voice recognition. This is respectfully traversed, and the Examiner is requested to provide a properly combinable reference or affidavit.

The same rejections where used with respect to claims 19-36. To the extent the claims are similar to claims 1-18, the same arguments are believed equally applicable, and it is requested that the rejection be withdrawn.

Claim 37 has been added. It is believed to distinguish the references for at least the same reasons as claim 1 in that it recites customer queries, and the use of a convolution algorithm.

**AMENDMENT AND RESPONSE UNDER 37 CFR § 1.111**
Serial Number: 09/852,881
Filing Date: May 10, 2001
Title: AN AUTOMATED CUSTOMER SUPPORT SYSTEM

**Page 11**
Dkt: 256.095US1

## *Conclusion*

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 373-6972 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

SINDHU  JOSEPH ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN  55402
(612) 373-6911

Date _October 21, 2004_     By _____

David W. Black
Reg. No. 42,331

CERTIFICATE UNDER 37 CFR 1.8:  The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to:  MS Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this _21_ day of October, 2004.

_____                    _____

Name                                                      Signature